

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

-----X	)	
In re:	)	Chapter 11
	)	
FOAMEX INTERNATIONAL INC.	)	Case No. 05-12685 (KG)
	)	
Reorganized Debtor.	)	
-----X	)	
BANK OF NEW YORK, AS INDENTURE	)	Civil Action No. 07-212 (JJF)
TRUSTEE,	)	
	)	
Appellant,	)	<b>NOTICE OF APPEAL</b>
v.	)	
	)	
FOAMEX INTERNATIONAL INC., <i>et al.</i>	)	
	)	
Appellees.	)	
-----X	)	

Notice is hereby given that Foamex International Inc., Foamex L.P., Foamex Latin America, Inc., Foamex Asia, Inc., FMXI, Inc., Foamex Carpet Cushion LLC, Foamex Capital Corporation, Foamex Mexico, Inc. and Foamex Mexico II, Inc., the above-captioned appellees, hereby appeal to the United States Court of Appeals for the Third Circuit from this Court's memorandum opinion and order [D.I. 13 and 14], dated February 28, 2008, reversing the order of the United States Bankruptcy Court for the District of Delaware dated March 23, 2007.

Dated: Wilmington, Delaware  
March 28, 2008

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